



Appeals and State Hearings Newsletter

website: www.ladpss.org

February 2003

Our address: 3833 S Vermont Ave - 4th floor
Los Angeles, CA 90037

Time Limit To Request Hearing



What is the time limit a participant has to request a State hearing?

The request for a State hearing shall be filed within 90 days after the date of the action/inaction with which the participant is dissatisfied.

How Can I Help?



I can avoid errors and therefore reduce requests for a State hearing by:

- Reviewing documents carefully.
- Taking actions timely.
- Documenting actions taken.
- Making appropriate referrals.
- Being available to explain and answer questions related to the case.



I Swear To Tell The Truth, and Nothing But The Truth

Did you know that it is the responsibility of every DPSS employee and contracted employee to appear as a witness for the county when requested to do so? Hearings are conducted "live" so anyone who has information relevant to the County's case can be called as a witness to provide live testimony in the State hearing. Most often, the witnesses are WFP&I investigators, In-Home Supportive Services Social Workers or GAIN Service Workers. However, ASH may ask any individual who has crucial information to attend and provide such testimony. Thus, you could find yourself being sworn in to provide testimony, under penalty of perjury, to support County actions. If called to report to a State hearing as a witness, you should dress appropriately, be on time and answer questions truthfully.

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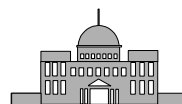
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Rehearings

Appeal rights for the claimant and the County do not end with the hearing decision. Once a decision is adopted by an Administrative Law Judge, both parties may appeal that decision by requesting a rehearing. An explanation of the reason for the requested rehearing is sent to the Chief Administrative Law Judge in Sacramento. The request is then reviewed by the legal team in Sacramento. If the request for rehearing is denied at that level, both parties may still pursue remedy in Superior Court for up to one year.



ASH Slang

SOP (Statement of Position) - A written statement prepared by the Appeals Hearing Specialist / County Representative outlining the County's action(s), pertinent facts and regulations supporting the action.

ALJ (Administrative Law Judge) - A person assigned by the Director of the California Department of Social Services to conduct the State hearings.

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Case correction memos (PA 411) that ASH sends to district offices now identify potential Food Stamp errors. If the issue involves Food Stamps, the AHS indicates on the upper right hand corner of the PA 411 that the case in question may have a potential Food Stamp error!



In December, ASH forwarded 316 PA 411s to the districts alerting them of potential FS errors. In January 2003, there were 281 PA 411's with FS alert notations. Remember that a corrected case means one less error case!!!